

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4643 of 1999

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the concerned : NO
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

NAVJIVAN AGRICULTURE OPERATING CO OP SOCIETY

Versus

DISTRICT REGISTRAR CO OP SOCIETIES

Appearance:

MR PJ KANABAR for Petitioner No. 1-6

MR LB DABHI A.G.P. for Respondent No. 1-3

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 29/11/2004

ORAL JUDGEMENT

1. The petitioners have by way of this petition challenged the order passed by the respondents at annexure-A, C, & E to the petition, whereby the respondent no. 1 has superseded the Executive Committee of the Society and appointed Administrator under Section 81 of the Act.

2. I have heard the learned advocates for the respective parties and have perused the relevant record. From the affidavit-in-reply filed by Legal Superintendent, Office of the Registrar Co-operative Societies, dated 7th January, 2004, wherein, more particularly in para 5 it is stated as under :-

"5. I say that the petitioners herein have filed the present petition inter alia challenging the order dated 20th March, 1998 appointing the Administrator in the petitioner's Society. The term of the Board of Directors of the Society was already over and thereafter the election of the members of the Executive Committee of the Society was held and as such the present petition filed by the petitioner praying for a direction for quashing and setting aside the order passed by the respondent authorities appointing Administrator of the petitioner Society no more survives and therefore, the petition is infructuous and hence liable to be dismissed."

3. In view of the aforesaid reply, the grievance of the petitioner now does not survive. Hence, the petition stands disposed of as having become infructuous. Rule is discharged with no order as to costs. Interim relief if any, stands vacated.

[K.S. JHAVERI, J.]

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